

## **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include new Figures 2A and 2B.

The attached "Replacement Sheets," which include Figures 1-15, replaces the original sheets including Figures 1-15.

Please add Figures 2A and 2B and renumber the drawing sheets to reflect the added page.

Attachment: Replacement Sheets

## **REMARKS**

Claims 1, 3-12 and 32-34 remain pending in the present application. Claims 2 and 13-31 have been cancelled. Claims 1 and 3-12 have been amended. Claims 32-34 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

## **DRAWINGS**

The drawings are objected to under 37 CFR 1.83(a). The drawings have been amended to overcome the rejection. Withdrawal of the objection is respectfully requested.

## **CLAIM OBJECTIONS**

Claims 1 and 4 are objected to because of informalities. The claims have been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

## **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

## **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 4, 7, 8, 10 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshimura (U.S. Pat. No. 4,671,536). Claim 1 has been amended to include the limitations of Claim 2. Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536). Applicants respectfully traverse this rejection.

The limitations of Claim 2 added to Claim 1 define a second lower cross car beam arranged nearer the front passenger seat. This is in addition to the first lower cross car beam located nearer the driver's seat. Yoshimura (U.S. Pat. No. 4,671,536) discloses a lower cross car beam on the driver's side but does not disclose a lower cross car beam on the passenger's side. The Examiner indicated that this is merely a duplication of parts. Applicants disagree.

The object of Yoshimura is to provide support structure for a vehicle steering mechanism. This is clearly defined throughout Yoshimura including in the title, in the Abstract in the summary of the invention as well as throughout Specification. The problem identified by Yoshimura in column 1, lines 18-19 is that the cowl inner panel cannot provide a satisfactorily support for the steering column assembly. Again in column 1, lines 25-42, Yoshimura describes tubular supports extending across the vehicle but these also do not provide support for a steering column assembly.

Thus, there is support in Yoshimura for adding a lower cross car beam in Yoshimura because clearly there will not be a second steering wheel added to the passenger's side. The background in Yoshimura clearly defines that the current cross vehicle support is acceptable until the steering column is added. It is the steering

column that causes Yoshimura to add its lower beam and clearly Yoshimura teaches adding the lower beam only to the steering wheel side.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 4, 7, 8, 10 and 11, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536). Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536) in view of Tanaka, et al. (U.S. Pat. No. 5,238,286). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536) in view of Scheidel (U.S. Pat. No. 6,523,878). Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura (U.S. Pat. No. 4,671,536) in view of Takano, et al. (US 2002/0117842 A1).

Claim 2 has been incorporated into Claim 1 as detailed above. Claims 3, 5, 6 and 9 ultimately depend from Claim 1 as discussed above. Claim 1 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claims 3, 5, 6 and 9 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

**REJOINDER**

Applicants respectfully request the rejoinder of Claim 12.

**NEW CLAIMS**

New Claims 32-34 are dependent claims which Applicants believe properly further limit Claim 1. Applicants believe Claims 32-34 read on the elected species/invention.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:

  
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